



PATENT

Docket No. 0769-4703

Express Mail Label No. EE 645 141 367 US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**UTILITY APPLICATION AND APPLICATION FEE TRANSMITTAL (1.53(b))**

ASSISTANT COMMISSIONER FOR PATENTS  
Box Patent Application  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of

Named Inventor(s) and  
Address(es):

Paul B. JENNINGS, Jr., 5200 E. Hickory Drive, Flagstaff AZ 86004-7390; Paul D. DRUMHELLER, 3217 South Debbie Street, Flagstaff AZ 86003; Terry A. HUBBARD, 5591 Lene Lane, Flagstaff AZ 86004; & Krzysztof R. PIETRZAK, 4465 Spring Meadows Circle, Flagstaff AZ 86004

For: SURGICAL SYSTEM  
Enclosed are:

☒ 17 page(s) of specification, 1 page(s) of Abstract, 13 page(s) of claims

☒ 7 sheets of drawing ☐ formal ☒ informal

☒ 7 page(s) of Declaration and Power of Attorney

☐ Unsigned  
☒ Newly Executed  
☐ Copy from prior application

☐ Deletion of inventors including Signed Statement under 37 C.F.R. § 1.63(d)(2)

☐ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the combined declaration and power of attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

☐ Microfiche Computer Program (Appendix)

☐ \_\_\_\_\_ page(s) of Sequence Listing

☐ computer readable disk containing Sequence Listing  
☐ Statement under 37 C.F.R. § 1.821(f) that computer and paper copies of the Sequence Listing are the same

☐ Claim for Priority

- ☐ Certified copy of Priority Document(s)
- ☐ English translation documents
- ☒ Information Disclosure Statement
- ☒ Copy of 14 cited references
- ☒ Copy of PTO-1449.
- ☐ Preliminary Amendment
- ☒ Return receipt postcard (MPEP 503)
- ☒ Assignment Papers (assignment cover sheet and assignment documents)
- ☐ A check in the amount of \$40.00 for recording the Assignment.
- ☐ Assignment papers filed in parent application Serial No. \_\_\_\_\_.
- ☐ Certification of chain of title pursuant to 37 C.F.R. § 3.73(b).
- ☐ This is a ☐ continuation ☐ divisional ☐ continuation-in-part (C-I-P) of prior application serial no. \_\_\_\_\_.
- ☐ Cancel in this application original claims \_\_\_\_\_ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☐ A preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application.
- ☐ The status of the parent application is as follows:
- ☐ A Petition For Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until \_\_\_\_\_.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☐ No Petition For Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☐ Transfer the drawing(s) from the patent application to this application.
- ☐ Amend the specification by inserting before the first line the sentence:  
This is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.

## I. CALCULATION OF APPLICATION FEE (For Other Than A Small Entity)

	Number Filed		Number Extra	Rate	Basic Fee \$ 760.00
Total Claims	103	-20=	83	x\$18.00	\$1,494.00
Independent Claims	8	- 3=	5	x\$78.00	\$ 390.00
Multiple Dependent Claims	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no				Additional Fee = \$260.00 Add'l Fee = NONE

Total: \$2,644.00

- ☐ A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$ \_\_\_\_\_.
- ☒ A check in the amount of \$2,644.00 in payment of the application filing fees is attached.
- ☐ Charge Fee(s) to Deposit Account No. 13-4500. Order No. 0769-4703. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 0769-4703. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN &amp; FINNEGAN, L.L.P.

  
 By: Chris L. Holm

Dated: April 10, 2000

Registration No. 39,227

## CORRESPONDENCE ADDRESS:

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 Rev. 5/21/98

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant(s)</b>	:	Paul B. JENNINGS, Jr.; Paul D. DRUMHELLER; Terry A. HUBBARD; & Krzysztof R. PIETRZAK			
<b>Serial No.</b>	:	TBA	<b>Group Art Unit</b>	:	TBA
<b>Filed</b>	:	Herewith	<b>Examiner</b>	:	TBA
<b>For</b>	:	<i><b>SURGICAL SYSTEM</b></i>			

## **EXPRESS MAIL CERTIFICATE**

**Box Patent Application**  
**ASSISTANT COMMISSIONER OF PATENTS**  
**Washington, D.C. 20231**

**Sir:**

**Express Mail Label No. EE 645 141 367 US**  
**Date of Deposit April 10, 2000**

I hereby certify that the following attached paper(s) or fee: (1) Application comprising 17 pp. of specification, 1 pg. of Abstract and 13 pp. of claims; (2) Seven sheets of informal drawings; (3) Seven pp. of executed Declaration and Power of Attorney; (4) Information Disclosure Statement; (5) Form 1449; (6) Copies of 14 cited references; (7) Check for \$2,644.00; (8) Recordation Form Cover Sheet; (9) Assignment Document; and (10) Return receipt postcard is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Francisco J. Garcia  
FRANCISCO J. GARCIA

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